

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

BRANDON CALLIER,

Plaintiff,

v.

CREDIT MOUNT INC, and DENNIS
SHAKHNOVICH a/k/a DENNIS
TENSHOV,

Defendants.

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EP-23-CV-00030-FM

FINAL JUDGMENT AND DISMISSAL

On June 8, 2023, the court denied Plaintiff Brandon Callier's motion for entry of default judgment for sum certain because his claims are not for sums certain.¹ Plaintiff did not correct the deficiency, so, on July 31, the court ordered Plaintiff to show cause by August 7, 2023, as to why this case should not be dismissed for failure to prosecute and warned Plaintiff that failure to timely respond would result in dismissal.² Plaintiff did not respond. Accordingly:

1. It is **HEREBY ORDERED** that the cause is **DISMISSED WITHOUT PREJUDICE**.
2. All pending motions, if any, are **DENIED AS MOOT**.
3. The Clerk of the Court is **INSTRUCTED** to **CLOSE** the cause.

SIGNED AND ENTERED this 8 day of August 2023.


FRANK MONTALVO
SENIOR UNITED STATES DISTRICT JUDGE

¹ "Order Denying Motion for Default Judgment for Sum Certain" 1-2, ECF No. 13, entered June 8, 2023; see FED. R. CIV. P. 55(b)(1).

² "Order to Show Cause for Failure to Prosecute" 1, ECF No. 17, entered July 31, 2023.